

RECEIVED
CENTRAL FAX CENTER

AUG 09 2006

Docket No. F05-185919M/MKO
NGB.080REI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Kazuo KANAZAWA

Serial No.: 10/657,060

Group Art Unit: 3681

Filed: September 8, 2003

Examiner: Pang, Roger L.

For: TRANSMISSION DEVICE OF A FOUR-WHEEL DRIVE VEHICLE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**SUBMISSION OF REVISED SUPPLEMENTAL REISSUE DECLARATION
UNDER 37 C.F.R. § 1.175(B)(1)**

Sir:

Enclosed for filing is a Revised Supplemental Reissue Declaration by the Inventor under 37 C.F.R. § 1.175(b)(1), in the above-referenced application. Applicant respectfully requests entry and consideration of the same.

A Statement of Substance of the Interview, in which the Examiner agreed that the Revised Supplemental Reissue Declaration by the Inventor places the application in condition for immediate allowance, is submitted concurrently herewith.

Accordingly, the Revised Supplemental Reissue Declaration by the Inventor is believed to place all of the claims (i.e., allowable claims 1-14 and 16-19) of the present application in condition for immediate allowance, in

In view of the foregoing, Applicant submits that allowable claims 1-14 and 16-19, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

BEST AVAILABLE COPY

RECEIVED
CENTRAL FAX CENTER

AUG 09 2006

Serial No. 10/657,060
Docket No. F05-185919M/MKO
NGB.080REI

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

No fees are believed to be necessary. However, to the extent necessary, Applicant petitions for an extension of time under 37 C.F.R. §1.136. The Commissioner is hereby authorized to charge any deficiency in fees, including extension of time fees, or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: August 9, 2006


John J. Dyesch, Esq.

Registration No. 46,672

Sean M. McGinn, Esq.
Registration No. 34,386

**MCGINN INTELLECTUAL PROPERTY
LAW GROUP, PLLC**
8321 Old Courthouse Road, Suite 200
Vienna, Virginia 22182-3817
(703) 761-4100
Customer No. 21254

CERTIFICATE OF TRANSMISSION

I certify that I transmitted via facsimile to (571) 273-8300 the enclosed Revised Supplemental Reissue Declaration by the Inventor to Examiner Roger L. Pang, Art Unit 3681, and Kenneth Dorner, Special Program Examiner, on August 9, 2006.


John J. Dyesch, Esq.

Registration No. 46,672

Sean M. McGinn, Esq.
Registration No. 34,386

AUG 09 2006

Doc Code:

PTO/SB/51 (10-05)

Approved for use through 04/30/2007. OMB 0651-0038

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)
F05-185919M/MKO

I hereby declare that:

Each inventor's residence, mailing address and citizenship are stated below next to their name.

I believe the inventors named below to be the original and first inventor(s) of the subject matter which is described and claimed in patent number 6,546,830 B2, granted April 15, 2003and for which a reissue patent is sought on the invention entitled TRANSMISSION DEVICE OF FOUR-WHEEL DRIVE VEHICLE

the specification of which

☐ is attached hereto.☒ was filed on September 8, 2003 as reissue application number 10/657,060
and was amended on March 1, 2005
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

☒ I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/02B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f) to Japanese Application No. 2000-280602, filed September 14, 2000. Attached is form PTO/SB/02B (or equivalent) listing the foreign application Japanese Application No. 2002-280602, filed September 14, 2000.

I verily believe that the original patent to be wholly or partly inoperative or invalid, by reason of the patentee claimed more or less than he had the right to claim in the patent.

The transmission device of the invention was claimed to narrowly. The invention includes inventive features, such as those provided by the Examiner in the '830 patent's December 12, 2002 Notice of Allowability that are applicable to both front engine-front drive (FF) based and front engine-rear drive (FR) based on four-wheel drive vehicles.

New claims 14 and 16-19 (renumbered after patent issuance), have been added which are of different scope than current claims 1-13 of the '830 patent.

(Continued on attached page 1A)

[Page 1 of 2]

This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-3199 and select option 2.

BEST AVAILABLE COPY

(Continued from page 1)

Revised Supplemental Reissue Declaration
Serial No. 10/657,060
Docket No. F05-185919M/MKO (NGB.080REI)

New independent claim 14 recites a transmission device of a four-wheel drive vehicle, including: *"an input shaft connected to an engine for transmitting a driving force"* (e.g., see '830 patent at column 4, lines 62-63; see also Figures 1-5); *"a hollow counter shaft extended in parallel to said input shaft"* (e.g., see '830 patent at column 5, lines 3-5); *"shift gear trains provided between said input shaft and said hollow counter shaft"* (e.g., see '830 patent at column 5, lines 6-15); *"a first output shaft disposed in a hollow portion of the hollow counter shaft"* (e.g., see '830 patent at column 5, lines 20-23) *"for transmitting the driving force to a final reduction gear of one of front and rear wheels"* (e.g., see '830 patent at column 5, lines 23-30); *"a first drive gear disposed at an end portion of said counter shaft"* (e.g., see '830 patent at column 5, lines 31-32); *"a first driven gear engaging with the first drive gear and rotating about a rotating axis of said input shaft"* (e.g., see '830 patent at column 5, lines 36-38; see also Figure 1); *"a second drive gear rotated about the rotating axis of said input shaft"* (e.g., see '830 patent at column 5, lines 38-39); *"a second driven gear disposed at a base end side of the first output shaft and engaging with said second drive gear"* (e.g., see '830 patent at column 5, lines 33-39); *"a second output shaft coupled with one of said first driven gear and said second drive gear to transmit the driving force to a final reduction gear of the other one of the front and rear wheels"* (e.g., see '830 patent at column 5, lines 27-31); and *"a variable mechanism for varying a torque transmitting capacity"* (e.g., see '830 patent at column 5, lines 41-44 and 62-66; see also column 6, lines 2-3, 7, 31-35, 49-51, 58-59, and 68-69; see also column 7, lines 10-11, 17-18, and 56; e.g., see also Figure 2-5), *"wherein the second output shaft is coupled with the first driven gear through the variable mechanism"* (e.g., see '830 patent at column 5, lines 37-45, and 62-66; e.g., see also Figure 2), *"or the second drive gear is coupled with the first driven gear through the variable mechanism"* (e.g., see '830 patent at column 6, lines 28-34 and 49-51; e.g., see also Figure 3).

Current independent claim 1 of the '830 patent does not recite all of the aforementioned features.

New claim 16 recites that *"the second output shaft is coupled with said second drive gear, and the second output shaft is coupled with the first driven gear through the variable mechanism"* (e.g., see '830 patent at column 5, lines 37-45, and 62-67; e.g., see also Figure 2).

New claim 17 recites that *"the second output shaft is coupled with said first driven gear, and the second drive gear is coupled with the first driven gear through the variable mechanism"* (e.g., see '830 patent at column 6, lines 28-34 and 49-51; e.g., see also Figure 3).

New claim 18 recites that *"said variable mechanism comprises a torque coupling mechanism"* (e.g., see '830 patent at column 5, lines 42-43, and 64; see also column 6, lines 3, 7, 32-34, 51, 58, and 62; e.g., see also Figures 2 and 3).

New claim 19 recites that *"said torque coupling mechanism comprises a viscous-coupling"* (e.g., see '830 patent at column 5, line 42) *"or a hydraulic multiple disk clutch"* (e.g., see '830 patent at column 7, lines 10-11, 17-18, and 56; e.g., see also Figures 4-5).

Current claims 1-13 of the '830 patent do not recite the aforementioned features of claims 14 and 15-19.

Every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the applicant.

[Page 1A of 2]

BEST AVAILABLE COPY

RECEIVED
CENTRAL FAX CENTER

AUG 09 2006

Doc Code:

PTO/SB/51 (10-05)

Approved for use through 04/30/2007. OMB 0551-0033

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)		Docket Number (Optional) F05-185919M/MKO	
All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.			
Note: To appoint a power of attorney, use form PTO/SB/81.			
Correspondence Address: Direct all communications about the application to:			
<input checked="" type="checkbox"/> The address associated with Customer Number:		21254	
OR			
<input checked="" type="checkbox"/> Firm or Individual Name	McGinn IP Law Group, PLLC		
Address	8321 Old Courthouse Road Suite 200		
City	Vienna	State	VA Zip 22182-3817
Country	USA		
Telephone	703-761-4100	Email	ADMIN@MCGINNIPLAW.COM
<p>WARNING:</p> <p>Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.</p>			
Full name of first joint inventor (given name, family name) Kazuo KANAZAWA			
Inventor's signature Kazuo KANAZAWA		Date August 4, 2006	
Residence Tokyo, Japan		Citizenship Japan	
Mailing Address c/o Fuji Jukogyo Kabushiki Kaisha, 7-2 Nishi-Shinjuku 1-chome, Shinjuku-ku, Tokyo, Japan			
Full name of second joint inventor (given name, family name)			
Inventor's signature		Date	
Residence		Citizenship	
Mailing Address			
<input type="checkbox"/> Additional joint inventors or legal representative(s) are named on separately numbered sheets forms PTO/SB/02A or 02LR attached			

(Page 2 of 2)

BEST AVAILABLE COPY